

AN ACT

relating to the training of and policies for peace officers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Subchapter F, Chapter 1701, Occupations Code, is amended to read as follows:

SUBCHAPTER F. TRAINING PROGRAMS, ~~AND~~ SCHOOLS, AND POLICIES

SECTION 2. Subchapter F, Chapter 1701, Occupations Code, is amended by adding Section 1701.2551 to read as follows:

Sec. 1701.2551. BASIC PEACE OFFICER TRAINING COURSE. (a) The basic peace officer training course required as part of a peace officer training program under Section 1701.251(a) may be no less than 720 hours.

(b) The basic peace officer training course must include training on:

(1) the prohibition against the intentional use of a choke hold, carotid artery hold, or similar neck restraint by a peace officer in searching or arresting a person, unless the officer reasonably believes the restraint is necessary to prevent serious bodily injury to or the death of the peace officer or another person;

(2) the duty of a peace officer to intervene to stop or prevent another peace officer from using force against a person suspected of committing an offense if:

(A) the amount of force exceeds that which is

1 reasonable under the circumstances; and

2 (B) the officer knows or should know that the
3 other officer's use of force:

4 (i) violates state or federal law;

5 (ii) puts a person at risk of bodily injury,
6 as that term is defined by Section 1.07, Penal Code, and is not
7 immediately necessary to avoid imminent bodily injury to a peace
8 officer or other person; and

9 (iii) is not required to apprehend the
10 person suspected of committing an offense; and

11 (3) the duty of a peace officer who encounters an
12 injured person while discharging the officer's official duties to
13 immediately and as necessary request emergency medical services
14 personnel to provide the person with emergency medical services
15 and, while waiting for emergency medical services personnel to
16 arrive, provide first aid or treatment to the person to the extent
17 of the officer's skills and training, unless the request for
18 emergency medical services personnel or the provision of first aid
19 or treatment would expose the officer or another person to a risk of
20 bodily injury or the officer is injured and physically unable to
21 make the request or provide the treatment.

22 SECTION 3. Subchapter F, Chapter 1701, Occupations Code, is
23 amended by adding Sections 1701.269 and 1701.270 to read as
24 follows:

25 Sec. 1701.269. TRAINING PROGRAM AND POLICIES FOR PEACE
26 OFFICERS. (a) The commission, in consultation with the Bill
27 Blackwood Law Enforcement Management Institute of Texas and other

1 interested parties chosen by the commission, shall develop and
2 maintain a model training curriculum and model policies for law
3 enforcement agencies and peace officers.

4 (b) The model training curriculum and model policies
5 developed under Subsection (a) must include:

6 (1) curriculum and policies for banning the use of a
7 choke hold, carotid artery hold, or similar neck restraint by a
8 peace officer in searching or arresting a person, unless the
9 officer reasonably believes the restraint is necessary to prevent
10 serious bodily injury to or the death of the peace officer or
11 another person;

12 (2) curriculum and policies regarding the duty of a
13 peace officer to intervene to stop or prevent another peace officer
14 from using force against a person suspected of committing an
15 offense if:

16 (A) the amount of force exceeds that which is
17 reasonable under the circumstances; and

18 (B) the officer knows or should know that the
19 other officer's use of force:

20 (i) violates state or federal law;

21 (ii) puts a person at risk of bodily injury,
22 as that term is defined by Section 1.07, Penal Code, and is not
23 immediately necessary to avoid imminent bodily injury to a peace
24 officer or other person; and

25 (iii) is not required to apprehend the
26 person suspected of committing an offense; and

27 (3) curriculum and policies regarding the duty of a

1 peace officer who encounters an injured person while discharging
2 the officer's official duties to immediately and as necessary
3 request emergency medical services personnel to provide the person
4 with emergency medical services and, while waiting for emergency
5 medical services personnel to arrive, provide first aid or
6 treatment to the person to the extent of the officer's skills and
7 training, unless the request for emergency medical services
8 personnel or the provision of first aid or treatment would expose
9 the officer or another person to a risk of bodily injury or the
10 officer is injured and physically unable to make the request or
11 provide the treatment.

12 Sec. 1701.270. REQUIRED POLICIES FOR LAW ENFORCEMENT
13 AGENCIES. Not later than the 180th day after the date the
14 commission provides the model policies described by Section
15 1701.269(b), each law enforcement agency in this state shall adopt
16 a policy on the topics described by that subsection. A law
17 enforcement agency may adopt the model policies developed by the
18 commission under that subsection.

19 SECTION 4. Section 1701.351, Occupations Code, is amended
20 by adding Subsection (a-2) to read as follows:

21 (a-2) Before the first day of each 24-month training unit
22 during which peace officers are required to complete 40 hours of
23 continuing education programs under Subsection (a), the commission
24 shall specify the mandated topics to be covered in up to 16 of the
25 required hours.

26 SECTION 5. (a) Not later than January 1, 2022, the Texas
27 Commission on Law Enforcement shall modify the curriculum of the

1 basic peace officer training course as necessary to comply with
2 Section 1701.2551, Occupations Code, as added by this Act.

3 (b) The minimum hour and content requirements for the basic
4 peace officer training course under Section 1701.2551, Occupations
5 Code, as added by this Act, apply only to a person who first begins
6 the course on or after July 1, 2022.

7 SECTION 6. Not later than January 1, 2022, the Texas
8 Commission on Law Enforcement shall develop and make available the
9 model training curriculum and model policies required by Section
10 1701.269, Occupations Code, as added by this Act.

11 SECTION 7. Section 1701.351(a-2), Occupations Code, as
12 added by this Act, applies only to a training unit that begins on or
13 after the effective date of this Act.

14 SECTION 8. The Texas Commission on Law Enforcement is
15 required to implement a provision of this Act only if the
16 legislature appropriates money specifically for that purpose. If
17 the legislature does not appropriate money specifically for that
18 purpose, the commission may, but is not required to, implement a
19 provision of this Act using other appropriations available for that
20 purpose.

21 SECTION 9. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 3712 was passed by the House on April 30, 2021, by the following vote: Yeas 123, Nays 5, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3712 on May 28, 2021, by the following vote: Yeas 147, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3712 was passed by the Senate, with amendments, on May 25, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor